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UNCLAS SECTION 01 OF 03 ROME 001890

SIPDIS

FROM FODAG

MEXICO CITY FOR BRAKEL  
STATE FOR IO/EDA KOTOK AND L/HRR ANDRE SURENA  
USAID FOR RALPH CUMMINGS  
USDA/FAS FOR HUGHES AND REICH

E.O. 12958: N/A

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SUBJECT: FAO RIGHT TO FOOD WORKING GROUP: INTERSESSIONAL  
BUREAU MEETING

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REF: ROME 1380

1. SUMMARY: THE BUREAU OF THE INTERGOVERNMENTAL WORKING GROUP (IGWG) FOR THE ELABORATION OF VOLUNTARY GUIDELINES TO SUPPORT THE PROGRESSIVE REALIZATION OF THE RIGHT TO ADEQUATE FOOD IN THE CONTEXT OF NATIONAL FOOD SECURITY MET APRIL 28, 2003. THE BUREAU PROVIDED GUIDANCE TO THE SECRETARIAT ON PROPOSED INTERSESSIONAL ACTIVITIES,

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STRESSING THE NEED TO KEEP WITHIN THE IGWG'S MANDATE, AND TO AVOID TOPICS (SUCH AS "THE INTERNATIONAL DIMENSION"), WHICH LAY OUTSIDE THE MANDATE. THE BUREAU AGREED THAT A BRIEFING BY UN SPECIAL RAPPOREUR ON THE RIGHT TO FOOD, JEAN ZIEGLER, WAS NOT NECESSARY. USDEL AND OTHER OECD BUREAU MEMBERS WERE SURPRISED BY THE EXTENT TO WHICH THE FAO LEGAL OFFICER SUPPORTING THE BUREAU'S WORK ARGUED FOR BROADENING THE SCOPE OF THE VOLUNTARY GUIDELINES BEYOND NATIONAL FOOD SECURITY. WITHIN THE BUREAU THERE IS GENERAL AGREEMENT NOT TO RE-OPEN THE DEBATE ON THIS QUESTION. END SUMMARY.

2. THE BUREAU OF THE INTERGOVERNMENTAL WORKING GROUP (IGWG) FOR THE ELABORATION OF VOLUNTARY GUIDELINES TO SUPPORT THE PROGRESSIVE REALIZATION OF THE RIGHT TO ADEQUATE FOOD (R2F) IN THE CONTEXT OF NATIONAL FOOD SECURITY MET APRIL 28, 2003. BUREAU MEMBERS IRAN (CHAIR), U.S., BELGIUM, NEW ZEALAND AND MALI PARTICIPATED. THE PHILIPPINES AND BRAZIL WERE ABSENT.

3. ASSISTANT DIRECTOR GENERAL (ADG) HARTWIG DE HAEN OPENED THE MEETING BY ASKING BUREAU VIEWS ON WHETHER THE IGWG SHOULD BE "A SEPARATE SUB-ITEM" FOR THE 124TH FAO  
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COUNCIL SESSION IN JUNE. THE BUREAU AGREED THAT THIS WAS NOT A NECESSARY; MEMBERS WHO WANTED TO COMMENT ON THE IGWG COULD DO SO IN THE ITEM "REPORT OF THE COMMITTEE ON WORLD FOOD SECURITY" (TO WHICH THE IGWG ITSELF REPORTS). COMMENT: IT TURNS OUT THAT THE AGENDA HAD ALREADY BEEN PRINTED UP WITH THE IGWG AS A SUB-ITEM, SO THE ADG'S "CONSULTATION" WAS MOOT (AND PROBABLY AN AFTER THOUGHT). END COMMENT.

4. THE BUREAU APPROVED THE MINUTES OF THE LAST MEETING HELD ON THE LAST DAY OF THE IGWG. THE FINAL VERSION REFLECTED U.S.-PROPOSED CHANGES TO THE DRAFT MINUTES.

5. THE BUREAU DISCUSSED A LIST OF PROPOSED INTERSESSIONAL ACTIVITIES DRAWN UP BY THE IGWG SECRETARY BASED ON INPUTS FROM THE BUREAU AT ITS LAST SESSION AND MEMBER COMMENTS AT THE IGWG SESSION. THE SECRETARY INFORMED THE GROUP THAT DONORS WERE READY TO PROVIDE EXTRA-BUDGETARY FUNDING. THE ACTIVITIES WERE PRICED AS FOLLOWS:

-- USD 160,000 FOR 8 TECHNICAL PAPERS (R2F IN PRACTICE; R2F AND THE COVENANT ON ECONOMIC, SOCIAL AND CULTURAL (ESC) RIGHTS; MONITORING THE RIGHT TO FOOD, TARGETING VULNERABLE GROUPS; THE INTERNATIONAL DIMENSION OF R2F, SOCIAL SAFETY NETS; JUSTICIABILITY OF THE R2F AND FOOD SOVEREIGNTY;  
-- USD 180,000 FOR 6 CASE STUDIES (MALI, BRAZIL, INDIA, NEPAL, SOUTH AFRICA AND UGANDA);  
-- USD 300,000 FOR A REGIONAL MEETING OR EXPERT CONSULTATION; AND

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-- USD 1,200 FOR A PRESENTATION BY UN SPECIAL RAPPOREUR JEAN ZIEGLER.

6. BRAZIL (BY CORRESPONDENCE) EXPRESSED SUPPORT FOR

INTERSESSIONAL PAPERS ON "SOCIAL SAFETY NETS," "CASE STUDIES" AND "TARGETING AND REACHING DISADVANTAGED AND VULNERABLE GROUPS." THE U.S. AND BELGIUM ALSO SUPPORTED THESE TOPICS. MALI EXPRESSED SUPPORT FOR ALL OF THE PROPOSALS, BUT STATED THAT GETTING DOWN TO DRAFTING THE GUIDELINES WAS MORE IMPORTANT THAN COMMISSIONING A LOT OF PAPERS.

#### THE INTERNATIONAL DIMENSION

17. THE U.S., BELGIUM AND NEW ZEALAND ARGUED STRONGLY THAT THE PROPOSED PAPER ON "THE INTERNATIONAL DIMENSION (WHICH INCLUDED, INTER ALIA, SUB-TOPICS ON "EXTRANATIONAL OBLIGATIONS OF STATES" AND "R2F PRINCIPLES VIS A VIS RULES GOVERNING INTERNATIONAL TRADE") WAS NOT WITHIN THE MANDATE OF THE IGWG. SOMEWHAT SURPRISINGLY, THE STRONGEST ADVOCATE FOR INCLUDING THE INTERNATIONAL DIMENSION ALONG THESE LINES WAS THE FAO LEGAL OFFICER WHO

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R 050505Z MAY 03  
FM AMEMBASSY ROME  
TO SECSTATE WASHDC 9637  
USDA FAS WASHDC 2656  
INFO USMISSION GENEVA  
USMISSION USUN NEW YORK  
AMEMBASSY MEXICO

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ARGUED THAT THE PROPOSAL WAS CONSISTENT WITH AND NECESSARY BECAUSE OF COMMENT 12 OF THE COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS (WHICH COVERS THE INTERNATIONAL DIMENSION). USDEL RESPONDED THAT THE IGWG HAD NO MANDATE TO COVER ALL OF COMMENT 12 AND NEEDED TO BE LIMITED TO THE NATIONAL CONTEXT. THE U.S. AND NEW ZEALAND ALSO STATED THAT THE NEGOTIATIONS ON THE SCOPE OF THE IGWG HAD CONCLUDED AT THE WORLD FOOD SUMMIT FIVE YEARS LATER MEETING AND SHOULD NOT BE REOPENED.

18. THE BUREAU DID AGREE THAT THE NATIONAL POLICIES TAKE PLACE IN AN INTERNATIONAL CONTEXT, AND AGREED THAT THE "INTERNATIONAL DIMENSION" MIGHT BETTER BE COVERED WITH DISCUSSION OF TOPICS SUCH AS "AT WHAT POINT DO COUNTRIES REQUIRE OR REQUEST INTERNATIONAL ASSISTANCE TO FULFILL NATIONAL FOOD SECURITY NEEDS;" AND "WHAT WAS THE ROLE AND RESPONSIBILITY OF INTERNATIONAL ORGANIZATIONS AND STATES AS MEMBERS OF INTERNATIONAL ORGANIZATIONS TO RESPOND TO COUNTRY REQUESTS FOR ASSISTANCE."

19. THE U.S. NOTED THAT THE U.S. SIDE EVENT ON FOOD SAFETY NETS TO BE HELD DURING THE UPCOMING COMMITTEE ON WORLD FOOD SECURITY SHOULD BE CONSIDERED A CONTRIBUTION TO THE DISCUSSION OF "SOCIAL SAFETY NETS" AND "TARGETING DISADVANTAGED GROUPS."

110. UNDER DISCUSSION OF COUNTRY CASE STUDIES, USDEL NOTED THAT THE SECRETARIAT'S PROPOSAL FOCUSED ON "PROGRESS MADE...FROM A POLICY, LEGAL AND INSTITUTIONAL POINT OF VIEW." USDEL ASKED THAT THE COUNTRY CASE STUDIES (PROPOSED FOR BRAZIL, INDIA, MALI, NEPAL, SOUTH

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AFRICA AND UGANDA) ALSO COVER THE EXTENT TO WHICH THE RIGHT TO FOOD POLICY HAD ACTUALLY AFFECTED NATIONAL FOOD SECURITY.

SPECIAL RAPPORTEUR ON THE RIGHT TO FOOD

11. THE BUREAU DISCUSSED THE PROPOSAL TO HAVE THE SPECIAL RAPPORTEUR ON THE RIGHT TO FOOD RETURN TO ROME TO ADDRESS THE BUREAU. NO BUREAU MEMBER SUPPORTED THE PROPOSAL. MALI NOTED THAT THAT "THE AFRICAN GROUP WAS CONFUSED BY (ZIEGLER'S) PRESENTATION" AT THE IGWG.

12. THE BUREAU CONSIDERED THE FINAL "SYNTHESIS" REPORT (WHICH INCLUDED SUBMISSIONS MADE AFTER THE CLOSE OF THE IGWG) AND WORKING DOCUMENT 2 "ISSUES OF CONVERGENCE AND DIVERGENCE" (WHICH ATTEMPTED TO INCORPORATE CORRECTIONS TO THE DOCUMENT REQUESTED DURING THE IGWG). USDEL STATED THAT THE "CONVERGENCE AND DIVERGENCE" DOCUMENT STILL CONTAINED A NUMBER OF PROBLEMS AND NOTED THAT IT WAS AN INTERNAL DOCUMENT ONLY, INTENDED TO ASSIST THE BUREAU AND SHOULD NOT BE PRESENTED TO THE COMMITTEE ON WORLD FOOD SECURITY AS PART OF THE REPORT OF THE IGWG.

NEXT MEETINGS

13. THE BUREAU WILL MEET THURSDAY JUNE 12 AT 10:00 DURING THE CFS SESSION. THE BUREAU WILL MEET JULY 9-11, 2003 TO CONSIDER A FIRST DRAFT OF THE GUIDELINES.

QUESTION OF A RAPPORTEUR

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14. THE EUROPEAN REGIONAL GROUP HAS QUERIED THE U.S. AGAIN CONCERNING THE PROPOSAL TO ADD A RAPPORTEUR TO THE BUREAU. USDEL HAS CONSISTENTLY RESPONDED THAT THERE IS NO NEED FOR A RAPPORTEUR (SEE REFTEL FOR ADDITIONAL DISCUSSION). WE EXPECT THE ISSUE TO BE RAISED AGAIN AT THE NEXT IGWG SESSION.

BUREAU SUBSTITUTION

15. REFTEL FAILED TO MENTION THAT THE IGWG AGREED THAT, IN THE EVENT THAT A BUREAU MEMBER WAS ABSENT, A REPRESENTATIVE FROM THE REGION COULD SUBSTITUTE HIM OR HER.

COMMENT

16. USDEL AND OTHER OECD BUREAU MEMBERS WERE SURPRISED BY THE EXTENT TO WHICH THE FAO LEGAL OFFICER SUPPORTING THE BUREAU'S WORK ARGUED FOR BROADENING THE IGWG'S MANDATE BEYOND NATIONAL FOOD SECURITY INTO ALL THE ISSUES COVERED BY COMMENT 12 OF THE COVENANT ON ESC RIGHTS. WE ARE

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R 050505Z MAY 03  
FM AMEMBASSY ROME  
TO SECSTATE WASHDC 9638  
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INFO USMISSION GENEVA  
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FORTUNATE THAT THE POWERS OF THE BUREAU ARE BROAD, AND THAT WITHIN THE BUREAU THERE APPEARS TO BE GENERAL AGREEMENT NOT TO RE-OPEN THE DEBATE LEADING UP TO THE DECISION TO CREATE THE IGWG. HALL

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